



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING
December 16, 2013
7:00 p.m.

Approved

Attending:

Board of Supervisors

Guy A. Donatelli, Chair
Kevin Kerr, Member

Township Administration

Cary B. Vargo, Township Manager
Gwen Jonik, Township Secretary
Jill Bukata, Township Treasurer
Al Gaspari, Codes Administrator
Mike Heckman, Director of Public Works
Dave Leh, P.E., Township Engineer

The meeting was held at the Public Works Facility, 132 Oscar Way, Chester Springs PA 19425 as the Township Building public meeting room is under renovation.

Mr. Donatelli called the meeting to order at 7:00 p.m., led the salute to the flag, and offered a moment of silence.

Approval of Minutes

Mr. Kerr moved, seconded by Mr. Donatelli, to approve as presented the minutes of the November 12, 2013 Board of Supervisors Workshop and the November 18, 2013 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Kerr moved, seconded by Mr. Donatelli, to approve the payments to all vendors as presented. Mr. Donatelli was relieved from abstention regarding the payment to the Chester County Solid Waste Authority, a client of his Firm, as there are only two Supervisors present.

Treasurer's Report

Jill Bukata the Township's financial position continues to be strong position, pension plan and fire fighter's relief association funds were paid in November, earned income tax revenue is \$250,000+ higher than budgeted, and all departmental expenses are within budget. Mr. Kerr commented that he appreciates receiving the breakdown of the delinquent trash accounts.

Supervisor's Report

Mr. Donatelli announced an Executive Session was held December 10, 2013 regarding personnel, legal, and real estate matters. Mr. Donatelli read the following calendar: December 25, 2013 Office Closed – Christmas Day; January 1, 2014 Office Closed – New Year's Day; January 6, 2014 7:00 p.m. Board of Supervisors' Organizational Meeting; January 7, 2014 4:00 p.m. Elected Auditors' Organizational Meeting; January 8 and 22, 2014 Christmas Tree/Yard Waste Collections, and January 21, 2014 (Tuesday) 7:00 p.m. Board of Supervisors' Meeting.

Administration Reports

Township Engineer's Report

Dave Leh reported that Gilmore & Associates is preparing the NPDES Permit for the trail at Upland Farm and the Township Planning Commission reviewed the Struble Trail – Dorlan Mill Road Trailhead Improvement Plan. The Planning Commission will not take any action on the

Plan pending the outcome of the County's December 30, 2013 Zoning Board Hearing seeking zoning relief/variances.

Building and Codes Department Report

Al Gaspari reported that 26 building permits were issued in November, totaling \$3,678.00 in permit fees, the December 30, 2013 Zoning Board Hearing will be held at the Public Works facility as the schoolhouse floor replacement project isn't expected to be complete until the new year, and Sunoco Pipeline will be repairing existing pipes and valves within their pipeline rights-of-way.

Police Chief's Report

Cary Vargo, on behalf of Chief DeMarco, reported that 1,138 incidents were logged during November, including 32 reported crimes and 12 criminal arrests.

Public Works Department Report

Mike Heckman reported that all paving projects are complete, re-striping Garrison Drive totaled \$4,012, the Department has handled 4 ice/snow events and another snow storm (1-3") is predicted for tomorrow.

Land Development

Alyson Zarro (Riley Riper Hollin & Colagreco), Mike Downs, Walt Schwartz, and Paul Boettinger of Toll Brothers were in attendance, presenting the Preliminary Plan for the Frame Property, as determined by the Conditional Use Approval granted last year. All 61 new lots are located on the north side of Little Conestoga Road, the small parcel on the south side of Little Conestoga Road will be dedicated to the Township, the farmstead on Green Valley Road is a 5-acre lot, and the remaining lands on Green Valley Road are proposed to be open space dedicated to the Homeowners Association. One Tot Lot is proposed, and trails will be constructed along the north side of Little Conestoga Road will connect to the abutting properties and the trail on the south side of the Turnpike will connect to the open space. Gilmore & Associates and the Township Planning Commission have reviewed the Preliminary Plan. Toll can comply with most of the comments contained in the November 6, 2013 review letter but would like to further discuss the ADA ramp comments with McMahon Associates, one of ARRO's comments and several of Brandywine Conservancy's comments, as follows: the farmstead lot won't be enlarged enough for farming purposes as that requires greater than 10 acres; Toll doesn't plan to provide fencing for all lots abutting open space – they'll provide the typical property markers and a few post & rail sections to keep everyone aware of the property lines. Toll doesn't plan to install a trail into the Heather Hill neighborhood because the adjoining parcel will be dedicated to the Township. Toll plans to dedicate Lot 67 – the large open space parcel on Green Valley Road -- to the Homeowners Association. The ARRO comment that Toll wanted to discuss relates to up-sizing the wastewater pump station in order to potentially provide public sewer access to other properties along Little Conestoga Road. Mike Downs advised that Toll will up-size the pump station if the Township agrees to reimburse them accordingly (via tap-in fees) for those additional properties.

Mr. Donatelli moved, seconded by Mr. Kerr, to grant Preliminary Plan Approval with the following conditions:

1. The conditions set forth in the June 17, 2013 Conditional Use Approval for this project still apply.
2. The applicant shall comply with all comments listed in Gilmore & Associates review letter dated November 6, 2013, excluding the following:

Brandywine Conservancy comment V.1.b) re: The Green Valley Road extension;
V.1.d) re: reconfiguring Lot 62; V.2. re: fencing, however property demarcation shall be provided; V.4. re: trail easement adjacent to Heather Hill Drive;

V.5. re: continuing offer of dedication to the Township of Lots 66 and 67 -- see Condition #5 below;

ARRO comment VI.A.2.a) re: sizing of the pump station and force main – if these items are upsized to facilitate future gravity connections for properties outside the Frame property, the applicable costs for the upsizing will be paid by the Township.

3. The applicant shall obtain all required permits from PA-DEP and Chester County Conservation District.
4. Lot 62 (the farmstead parcel) shall be deed restricted from further subdivision.
5. The Open Space parcels denoted as lots 66 and 67 on the above referenced plans shall be offered for dedication to the Township.
6. The Applicant agrees to pay a Transportation Impact Fee in the amount of \$107,479.68. The fee is to be paid at the time of the issuance of the first building permit.

Steve Senn, 'Jr.' asked if the sight distance on Little Conestoga Road is being met. Ms. Zarro replied Toll is working with the property owners to acquire the necessary easements.

The Motion carried unanimously.

ADMINISTRATION

Act 167 Storm Water Management Plan Ordinance. Cary Vargo advised that to comply with the Act 167 Storm Water Management Act, the Chester County Water Resources Authority and multiple stakeholder entities drafted a County-Wide Ordinance which was adopted by the Chester County Commissioners in March 2013, approved by the Pennsylvania Department of Environmental Protection in July 2013 and each Municipality was to revise existing or adopt a new Ordinance to comply with the County-Wide Ordinance. Over the past 6 months, Upper Uwchlan's existing Ordinance was revised, reviewed by all appropriate agencies and advertised for adoption this evening.

Mr. Donatelli moved, seconded by Mr. Kerr, to adopt Upper Uwchlan Township **Ordinance #2013-05**, amending The Code of Upper Uwchlan Township – Storm Water Management requirements in accordance with the "County-Wide Act 167 Storm Water Management Plan". The Motion carried unanimously.

2014 Budget, Tax Millage Resolution. The proposed 2014 Budget totals \$6,922,396.00, a 12% decrease from 2013 due to reduced Capital expenditures. The proposed 2014 Tax Millage Rate is 1.034 (no increase) plus .087 Hydrant Tax for applicable properties.

Mr. Donatelli moved, seconded by Mr. Kerr, to adopt **Resolution #12-16-13-12** establishing the 2014 Budget and Tax Millage Rate as referenced above. Mr. Vargo thanked the Treasurer and Staff for their work preparing this year's budget. Mr. Kerr explained that this year's budget included new text and metrics, providing the Board with greater detail and background information. The Motion carried unanimously.

Employee Pension Plan Contribution Rates. The Township is required to annually state the employees' contribution rates to the Pension Plans for the following year. For 2014, the Non-Uniformed Employees will contribute 5% of Salary (1% increase), the Uniformed (Police) Employees will contribute 3% of Salary.

Mr. Donatelli moved, seconded by Mr. Kerr, to adopt **Resolutions #12-16-13-13 and #12-16-13-14**, respectively, establishing the employees' contribution rates for 2014. The Motion carried unanimously.

2014 Fee Schedule. Mr. Donatelli advised the 2014 Fee Schedule includes the fees for building permits, solicitation licenses, Park and Recreation Facility use, trash/sewer account certifications, Zoning Hearings, etc.

Mr. Donatelli moved, seconded by Mr. Kerr, to adopt **Resolution #12-16-13-15**, establishing the 2014 Fee Schedule. The Motion carried unanimously.

2014 Emergency Services Providers. Mr. Donatelli moved, seconded by Mr. Kerr, to adopt **Resolution #12-16-13-16**, which states the Agencies providing emergency service response to Upper Uwchlan Township: Lionville Fire Company, Ludwigs Corner Fire Company, East Brandywine Fire Company, Glenmoore Fire Company, Uwchlan Ambulance Corps, Ludwigs Corner QRS, Public Works employees, Township Police employees, East Brandywine Fire Company QRS, Glenmoore Fire Company QRS. The Motion carried unanimously.

Live Scan Unit. Mr. Donatelli advised that when Upper Uwchlan Police effect an arrest, a Live Scan Unit is used to identify outstanding warrants, etc., through fingerprinting databases – State Police and FBI. West Whiteland Township owns and maintains the Live Scan Unit our Department uses and we pay an annual fee for unlimited access to the device. The current Live Scan Unit is outdated and has become unserviceable. West Whiteland Township is seeking grant funding for a portion of the replacement costs, and the Townships using the device are asked to contribute toward the remainder of the replacement costs. Mr. Donatelli moved, seconded by Mr. Kerr, to adopt **Resolution #12-16-13-17**, in support of West Whiteland Township seeking grant funding to replace the unit and to establish the annual usage fee. The Motion carried unanimously.

Open Session

Hal Harper commented on the proposed Columbia Gas pipeline expansion which is again routed through his neighborhood, Windsor Place, which already contains several pipelines. Mr. Vargo advised that the proposed expansion is via horizontal directional drilling (HDD), which is well below the surface, and within the existing pipeline right-of-way. The Township won't suggest an alternate route, as that would be choosing one neighborhood over another, but he encourages residents to submit comments to FERC (Federal Energy Regulatory Commission).

Steve Senn commented on the timing of the East Township Line Road / Route 100 traffic light. The green light for East Township Line is very short and traffic backs up. Mr. Vargo advised there's been a problem with the main corridor clearing so that the side street traffic can get out. We're meeting this week with the traffic consultants to analyze and adjust the system.

Mr. Mack thanked the Supervisors for their work on the budget and also reported the decrease in incidents on Moore Road since the microsurfacing and road markings were placed.

Mr. Donatelli commented on the timing of the left turn arrow on Route 100 and Pennsylvania Drive. Mr. Vargo advised the system is programmed to privilege the north/south Route 100 flow but as the sensors detect increased volume, the light timing will increase incrementally. Travelers are encouraged to send emails to Mr. Vargo with specific dates/times so the intersections can be reviewed and adjusted.

Adjournment

There being no further business to be brought before the Board, Mr. Donatelli adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary

December 16, 2013 Board of Supervisors Meeting

Page 4 of 4